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February 14, 2008

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HAROLD BAER  
U.S. DISTRICT JUDGE  
S.D.N.Y.

BY FAX

Honorable Harold Baer, Jr.  
United States District Judge  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: Charon Martinez o/b/o Josaijah A. Ramirez v. Astrue  
07 Civ. 8848 (HB)

Dear Judge Baer:

We write in response to the Court's memo endorsement in the above-referenced Social Security case. On January 11, 2008, we submitted for the Court's consideration a proposed stipulation to extend the Government's time to answer or move with respect to the complaint from January 22, 2008, to March 24, 2008, because we had not yet received the administrative record. The Court memo-endorsed the stipulation on January 15, 2008, requesting an explanation for the delay within 30 days.

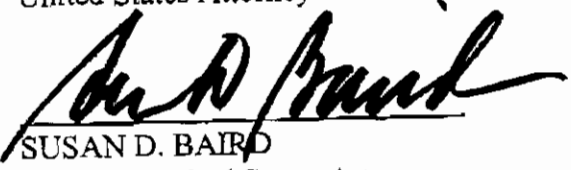
This office has now received the administrative record for this case. As we explained at the January 24, 2008 conference in this case, the reason for the delay in preparation of that record is that the U.S. Attorney's Office sent notice of the new suit, and a request for preparation of the record, to the wrong component of the Social Security Administration. Consequently, the office that prepares the records did not receive notice of the action until January 15, 2008, and has now promptly prepared the record.

In order to give SSA and this office time to evaluate its litigation position in this case, we respectfully request that the time to answer or move with respect to the complaint be adjourned to March 24, 2008. As we previously indicated to the Court, plaintiff has consented to the adjournment, and no prior adjournment has been requested.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By:

  
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*Murd 24 by consent*

  
Harold Baer, Jr., U.S.D.J.  
Date: 2/22/06